

**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION
OF THE STATE OF CALIFORNIA**

IN THE MATTER OF:

**APPLICATION FOR CERTIFICATION FOR THE
*PANOCHÉ ENERGY CENTER***

DOCKET No. 06-AFC-5

**REVISED COMMITTEE
SCHEDULING ORDER**

On November 8, 2006, the Application for Certification (AFC) was deemed data adequate for the twelve-month review process consistent with Public Resources Code section 25540.6. The Committee conducted a public informational hearing on December 12, 2006, to discuss the schedule and other issues of concern. A Committee Scheduling Order was issued on December 19, 2006. A Revised Scheduling Order was issued on July 12, 2007.

The Revised Committee Schedule called for the publication of the Staff's Final Staff Assessment (FSA) on or before September 14, 2007. In Joint Status Report 3 filed on August 10, 2007, Staff and the Applicant indicate that Staff will publish the FSA no later than September 14 and request an expedited hearing schedule with a combined Prehearing Conference and Evidentiary Hearing as soon as October 1. The parties expect that they will disagree regarding the appropriate source of water for the project; that issue will require adjudication by the Committee.

The parties' proposed schedule is too compressed; it would not give either the Committee or the public sufficient time to review the FSA and prepare for hearings. We have updated the schedule by inserting specific target date ranges for the Prehearing Conference and following events, heretofore marked as "to be determined." Barring unforeseen circumstances, this schedule would result in a final Commission Decision in December. The conference and hearing dates are premised on a September 14 FSA release; if the release date changes, they will be adjusted accordingly.

We may further modify the schedule at any time upon either our own motion or that of a party. [Cal. Code of Regs., tit. 20, § 1709(c)].

Dated August 28, 2007, at Sacramento, California.

JEFFREY D. BYRON
Commissioner and Presiding Member
Panoche AFC Committee

JAMES D. BOYD
Vice Chair and Associate Member
Panoche AFC Committee

**(SECOND REVISED) COMMITTEE SCHEDULE
FOR THE
PANOCH ENERGY CENTER PROJECT
(06-AFC-5)**

DATE	EVENT
November 8, 2006	AFC data adequate
December 12, 2006	Informational Hearing and Site Visit
January 9, 2007	Applicant files responses to Staff data requests
Mid January, 2007	Staff conducts data response/issue resolution workshop
February 27, 2007	Local, State and Federal Agency draft determinations, including air district's Preliminary Determination of Compliance (PDOC) filed
March 2, 2007	Parties file Status Report #1
Mid April 2007	Local, State and Federal Agency final determinations filed
June 28, 2007	Staff files Preliminary Staff Analysis (PSA)
July 15, 2007	Air district's Final DOC filed
July 27, 2007	Staff conducts PSA workshop
August 15, 2007	USFWS Biological Opinion and USEPA Underground Injection Permit filed
September 14, 2007 (or earlier if possible)	Staff files Final Staff Assessment (FSA)
September 17, 2007	After confirming that FSA was published as expected, Committee issues Notice of Prehearing Conference and Evidentiary Hearing
September 28, 2007	Parties file Prehearing Conference statements (including exhibit lists)
Week of October 1, 2007	Prehearing Conference held in Sacramento
October 9, 2007	Parties exchange and file documentary evidence with Hearing Officer and file prehearing briefs regarding contested topics
Week of October 15, 2007	Evidentiary Hearing
No later than November 14, 2007	Presiding Member's Proposed Decision (PMPD) issued for 30 day comment period
Week of December 10, 2007 *	PMPD comment hearing
December 17, 2007 *	PMPD errata issued
December 19, 2007	Energy Commission holds PMPD adoption hearing

* If the PMPD is published significantly in advance of November 14, these dates may be advanced. Revised August, 2007